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*Attorneys for Defendant,*  
*Smart Industries Corporation*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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WESCO INSURANCE COMPANY as subrogee  
of its insured NICKELS AND DIMES  
INCORPORATED,

Plaintiff,

vs.

SMART INDUSTRIES CORPORATION dba  
SMART INDUSTRIES CORP., MFG., an Iowa  
corporation,

Defendants.

Case No.: 2:16-cv-01206-JCM-EJY

**CONSOLIDATED FOR PURPOSES OF  
DISCOVERY AND TRIAL**

JENNIFER WYMAN, individually; BEAR  
WYMAN, a minor, by and through his natural  
parent JENNIFER WYMAN; JENNIFER  
WYMAN and VIVIAN SOOF, as Joint Special  
Administrators of the ESTATE OF CHARLES  
WYMAN; and SARA RODRIGUEZ natural  
parent and guardian ad litem of JACOB WYMAN,

Plaintiffs,

vs.

SMART INDUSTRIES CORPORATION dba  
SMART INDUSTRIES CORP., MFG, an Iowa  
Corporation; HI-TECH SECURITY INC, a  
Nevada Corporation; WILLIAM ROSEBERRY;  
BOULEVARD VENTURES, LLC, a Nevada  
Corporation; DOES 1 through 10; BUSINESS  
ENTITIES I through V; and ROE  
CORPORATIONS 11 through 20, inclusive,

Defendants.

Case No.: 2:16-cv-02378-JCM-EJY

**STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE AS  
TO SARA RODRIGUEZ'S PUNITIVE  
DAMAGES ALLEGATIONS**

HI-TECH SECURITY INC; and WILLIAM  
ROSEBERRY,

Third-Party Plaintiffs,

vs.

NICKELS AND DIMES INCORPORATED,

Third-Party Defendants.

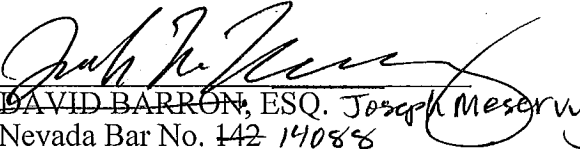
IT IS HEREBY STIPULATED AND AGREED by and between 1) Plaintiffs Jennifer Wyman, Bear Wyman, and the Joint Special Administrators of the Estate of Charles Wyman, by and through their attorneys of the law firm EGET ADAMS; 2) Plaintiff Sara Rodriguez, by and through her attorneys of the law firm CLIFF W. MARCEK, P.C.; 3) Wesco Insurance Company, by and through its attorneys of the law firm DUBOWSKY LAW OFFICE, CHTD.; 4) Defendant Smart Industries Corporation dba Smart Industries Corp., MFG, by and through its attorneys of the law firm BARRON & PRUITT, LLP; and 5) Defendants Hi-Tech Security, Inc. and William Roseberry, by and through their attorneys of the law firm HALL JAFFE & CLAYTON, LLP, that Plaintiff Sara Rodriguez's punitive damages allegations in the above-captioned case, shall be dismissed, without prejudice, each party to bear its attorney's fees and costs incurred to date.

Dated this 16<sup>th</sup> day of Nov., 2019,

Dated this 17<sup>th</sup> day of October, 2019,

BARRON & PRUITT, LLP

HALL, JAFFE & CLAYTON, LLP

  
~~DAVID BARRON, ESQ.~~ *Joseph Meservy*  
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Smart Industries Corporation*

*/s/ Walter F. Fick*  
STEVEN JAFFE, ESQ.  
Nevada Bar No. 7035  
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*Attorneys for Defendants Hi-Tech  
Security, Inc. and William Roseberry*

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Dated this \_\_\_\_ day of \_\_\_\_\_, 2019,

EGLET ADAMS  
&  
GREENMAN GOLDBERG RABY &  
MARTINEZ

N/A to Rodriguez Claim  
TRACY A. EGLET, ESQ.  
Nevada Bar No. 6419  
THOMAS N. BECKOM, ESQ.  
Nevada Bar NO. 12554  
400 S. 7<sup>th</sup> Street, 4<sup>th</sup> Floor  
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&  
DILLON COIL, ESQ.  
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601 South Ninth Street  
Las Vegas, Nevada 89101  
*Attorneys for Wyman Plaintiffs*

Dated this 17th day of October, 2019,

DUBOWSKY LAW OFFICE, CHTD.

/s/ Peter Duboswky  
PETER DUBOSWKY, ESQ.  
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AMANDA VOGLER-HEATON, ESQ.  
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300 South Fourth Street, Suite 1020  
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*Attorneys for Wesco Ins. Co.*

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019,

CLIFF W. MARCEK, PC  
&  
HOLLORAN SCHWARTS & GAERTNER  
LLP

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&  
THOMAS SCHWARTZ, ESQ.  
REBECCA GROSSMAN, ESQ.  
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St. Louis, MO 63144  
*Attorneys for Rodriguez Plaintiffs*

**ORDER**

**IT IS SO ORDERED.**

DATED November 8, 2019.

*James C. Mahan*  
UNITED STATES DISTRICT JUDGE

**BARRON & PRUITT, LLP**  
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GREENMAN GOLDBERG RABY &  
MARTINEZ

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Dated this 17 day of October, 2019,

CLIFF W. MARCEK, PC  
&  
HOLLORAN SCHWARTS & GAERTNER  
LLP

\_\_\_\_\_  
*Cliff W. Marcek*  
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St. Louis, MO 63144  
*Attorneys for Rodriguez Plaintiffs*

**ORDER**

IT IS SO ORDERED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE